

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

JOHN VORGITCH,

Plaintiff,

No. 21-11657

v.

Honorable Nancy G. Edmunds

CITY OF HARPER WOODS, *et al.*,

Defendants.

_____ /

ORDER DISMISSING PLAINTIFF'S STATE LAW CLAIMS

Plaintiff John Vorgitch brings this civil rights lawsuit against the City of Harper Woods; its Director of Public Safety, Vincent Smith; and its Acting City Manager, John Szymanski. Plaintiff alleges violations of the United States Constitution and 42 U.S.C. § 1983. He also brings state law claims of false light, intentional infliction of emotional distress, and defamation.

Since the parties to this matter are non-diverse, this Court declines to exercise supplemental jurisdiction over Plaintiff's state law claims so as to avoid jury confusion. *See* 28 U.S.C. § 1367(c)(4); *Moor v. Cty. of Alameda*, 411 U.S. 693, 716 (1973); *Padilla v. City of Saginaw*, 867 F. Supp. 1309, 1315 (E.D. Mich. 1994). Thus, pursuant to § 1367(c), all of Plaintiff's claims based on state law, including the claims found in Counts III, IV, and V of his complaint, are hereby DISMISSED WITHOUT PREJUDICE. The Court will retain jurisdiction over Plaintiff's federal claims only.

SO ORDERED.

s/Nancy G. Edmunds
Nancy G. Edmunds
United States District Judge

Dated: September 10, 2021

I hereby certify that a copy of the foregoing document was served upon counsel of record on September 10, 2021, by electronic and/or ordinary mail.

s/Lisa Wagner for Lisa Bartlett
Case Manager